

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COR CLEARING, LLC,

Plaintiff,

Case No.: 1:17-cv-02190 (PAE)

-against-

FIRST STANDARD FINANCIAL CO., LLC,

Defendant.
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**DEFENDANT FIRST STANDARD FINANCIAL
COMPANY LLC'S UNOPPOSED MOTION
TO EXTEND DISCOVERY DEADLINES**

Defendant First Standard Financial Company LLC ("FSF" or "Defendant"), by its attorneys, Eaton & Van Winkle LLP ("EVW"), respectfully move this Honorable Court, pursuant to Federal Rules of Civil Procedure 25(e), Federal Rules of Civil Procedure 16(b) and Local Rules 16.2 and 26.4, to extend the discovery deadline sixty (60) days from the date of this filing. Plaintiff's counsel has advised Defendant's counsel that it does not oppose this motion.

In support thereof, Defendant states:

1. Plaintiff filed its First Amended Complaint on February 4, 2017. The parties currently have a fact discovery close date of January 31, 2018.
2. Defendant filed its Answer to the First Amended Complaint on May 31, 2017.
3. On June 6, 2017, the parties attended the Initial Pretrial Conference. On June 29, 2017, the parties filed their Civil Case Management Plan and Scheduling Order. Said Scheduling Order scheduled all fact discovery to be completed no later than January 31, 2018. Depositions were to be completed by January 31, 2018, with expert discovery to be completed by March 19, 2018.

4. On October 6, 2017, the parties filed a Stipulated FRE 502(d) and Protective Order.

5. The parties served their initial discovery requests during the summer of 2017, and have made partial production. The parties have also conducted several “meet/confer” sessions.

6. On November 2, 2017, Defendant issued and served a third-party subpoena on FINRA requesting production of certain documents that are relevant to the claims and defenses in this matter. On January 2, 2018, FINRA responded to the subpoena by advising that a minimum of forty-five (45) days would be required for it to process the subpoena.

7. On January 15, 2018, counsel for Defendant will join Scarinci Hollenbeck as a partner. Client authorizations to transfer files and letters of engagement have yet to be sent to undersigned counsel’s clients.

8. The fact discovery deadline is set to end during this period on January 31, 2018. However, fact discovery is not complete, and because of FINRA’s January 2, 2018 response, the parties first learned that it will be another forty-five (45) days, at least, before any requested production is received from FINRA.

9. Plaintiff informed Defendant that it does not oppose Defendant’s request that the elements of the current Scheduling Order be extended by an additional sixty (60) days to account for the delay in production by FINRA.

10. This extension request will also take into consideration Defendant’s counsel’s transition to the new firm, allowing sufficient time for client engagement of Scarinci Hollenbeck and transfer of client files from Eaton & Van Winkle LLP to Scarinci Hollenbeck.

11. No prior application has been made for this or related relief.

Accordingly, Defendant requests that the discovery cut-off dates pursuant to the Scheduling Order be extended as requested herein.

WHEREFORE, Defendant, and without opposition by Plaintiff, prays that this Court grant the instant Motion to Extend Discovery Deadlines and that such deadlines each be extended by sixty (60) days.

Dated: January 9, 2018
New York, New York

Respectfully submitted,

EATON & VAN WINKLE LLP

By: 

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Attorneys for Defendant

First Standard Financial Company LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of January, 2018, I transmitted a copy of Defendant's

Unopposed Motion to Extend Discovery Deadlines by e-mail to:

Christian V. Cangiano, Esq.
Anderson Kill PC
1251 Avenue of the Americas
New York, New York 10020



Paul A. Lieberman